



SOP: Escalating Misrepresentation Claims to Legal

Purpose

This SOP is intended to outline the process used by operations to escalate claims with suspected misrepresentation or inconsistent information either from the RF or CH.

Teams Impacted

- Operations
- Legal

Related References and Documents

- SOP – Altered Claims Records

Procedure

1. If / when working with a CH or RF during the handling of a claim, if any of the following criteria are noticed the adjuster/CSR should bring this first to their direct supervisors' attention.
 - a. Altered or inconsistent service records.
 - b. Signs of previously authorized and paid repairs that have not been completed on new claims for same or different issues.
 - c. Clear signs the vehicle was never at the RF.
 - d. Clear signs the CH is related to RF or possibly the same person.
 - e. Pictures sent in for verification of failure or vehicle being at RF are found to be downloaded from an internet search and not of the actual CH's vehicle.
 - f. Claims that seem to be started with a pattern in the timeline.
 - i. CH/RF is consistently filing claims on the same day of the month. IE: every 15th
2. At no point should any notes that contain the words fraud/misrepresentation or directly accuse the CH or RF of any fraudulent actions be entered into CMS.
 - a. This includes mentioning this during phone calls with the RF or CH.
 - b. Terms such as inconsistent or unverifiable should always be used when referring to these issues.
 - c. There should also be no definite statements made as well. Everything should be labeled as potential or possible.
3. The adjuster or CSR will first escalate the claim to their Team Lead or direct supervisor.
 - a. For any concerns around service records sent in for the claim a full Carfax report must be pulled and reviewed.
 - i. If the Carfax supports any questionable records, then the claim needs to be moved forward following normal SOP's.

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- ii. If the Carfax does not verify the service records, there should be a contact attempt to the RF in question to verify the service records in question.
 - The phone number from the records for the RF should first be compared to the phone number found through a google search of the RF. If the phone number does not match the number from the google search should be used for any contact.
 - Notes should be entered into CMS detailing any calls made to RFs from records.
 - b. If the service records in question are verified in this process the claim should be moved forward following normal SOP's.
4. The Team Lead or direct supervisor will do a thorough review of the issues noted.
 - a. If the Team lead or Direct Supervisor does not feel there is enough to escalate the claim, then the claim must be moved forward per terms of the contract and normal SOP's.
 - b. If the Team Lead or direct supervisor feels there is enough to escalate the claim to legal, they will notify the legal department.
5. The following steps must be taken to escalate the claim for legal review.
 - a. This will be done via email to LEGALAFFAIRS@AMERICANAUTOSHIELD.COM containing the details needed to support legal involvement.
 - i. This email should be as detailed as possible.
 - ii. Any relevant documentation should also be attached to the email and the claim/contract in CMS.
 - iii. The subject line should contain the CH name contract # and claim # (If claim is started).
 - iv. Notes should be entered into the claim noting that it is sent for legal review and to take no more action until the legal department has completed their review.
6. Legal will review the email for the next steps.
 - a. These steps will be communicated via email reply within 2 working days excluding Saturday.
 - b. If legal does not see the need to stop the claim it will be sent back with instructions to move forward by normal procedures or with specific instructions.
 - c. If legal does have enough information to get involved the legal department will take over the claim moving forward.
 - d. Do not refer CHs or RFs to the legal affairs email without specific instructions to do so from the legal department.



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Approval & Revision

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